

REMARKS

Claims 1 through 14 are pending in this application. Claims 1 and 8 are hereby amended.

Pages 8 and 10 of the specification are hereby amended to correct minor typographical errors of reference numbers. Approval of the above changes to the specification is respectfully requested.

Claims 1 through 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,366,780 to Obhan, et al. ("Obhan, et al. patent") in view of U.S. Patent No. 6,330,451 to Sen, et al. ("Sen, et al. patent").

Claim 1 is amended to provide "an operator interface that interfaces with the resource controller to interactively and explicitly specify communication service availability to the plurality of the communication devices" and, similarly, claim 8 is amended to provide "interfacing with a resource controller to interactively and explicitly modify communication service availability to the plurality of the communication devices". Thus, the operator interface explicitly specifies or modifies availability.

In contrast, the Obhan, et al. patent does not describe or suggest any device or step of explicitly specifying or modifying availability. The above Office Action, at page 2, states that the Obhan, et al. patent also provides the functionality of inherently letting an operator interactively specify communication service availability. The Obhan, et al. patent does not

describe or suggest the functionality of explicitly specifying or modifying communication service availability.

The Obhan, et al. patent describe that an operator can change system operator parameters. As stated at col. 5, lines 24 through 32, "The system operator parameters 104 include subscriber profiles 110 for a plurality of subscribers operating within the wireless communication system. The system operator parameters also include corridor rules for a plurality of corridors defined within the wireless communication system. ... The system operator parameters 104 are typically provided by the system operator based upon the business goals it has for the wireless system." Also, as stated at col. 6, lines 18 through 21, "The system operator input will be based upon the goals that the system operator has for the operation of the system. These goals, if met, will maximize revenue for the system operator." Accordingly, the Obhan, et al. patent does not describe or suggest any parameter of availability, let alone explicitly specifying or modifying availability.

Although the Sen, et al. patent describes a user interface, the Sen, et al. patent only states "The user interface 408 allows a system administrator to access the BCS 400 to perform various operations" at col. 10, lines 63 through 65. Accordingly, similar to the Obhan, et al. patent, the Sen, et al. patent does not describe or suggest any parameter of availability.

Since the Obhan, et al. patent and the Sen, et al. patent do not describe or suggest the functionality of explicitly specifying or modifying communication service availability, individually or in combination, amended claims 1 and 8 distinguish patentably from the Obhan, et al. patent, the Sen, et al. patent, and the combination of these patents.

Claims 2 through 7 and 9 through 14 depend from and include all of the limitations of independent claims 1 and 8 as amended. Therefore, claims 2 through 7 and 9 through 14 distinguish patentably from the Obhan, et al. patent, the Sen, et al. patent, and the combination of these patents for the reasons stated above for amended claims 1 and 8.

In view of the above, reconsideration and withdrawal of the 35 U.S.C. §103(a) rejection of claims 1 through 14 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The first page of the attached page(s) is captioned "**VERSION WITH MARKINGS TO SHOW CHANGES MADE**".

It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. A Notice of Allowance is

respectfully solicited. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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VERSION WITH MARKINGS TO SHOW CHANGES MADE**IN THE SPECIFICATION:**

Paragraph beginning at line 19 of page 7 has been amended as follows:

When the main base station 14 malfunctions or otherwise additional service capacity is needed, the backup base station 20 serves the communication devices 12. Similarly, the backup system controller 26 provides communication service to the communication devices 12 in the event the main system controller 14 is out of service or additional capacity is needed. The backup system controller 26 can have a specified capacity, for example, smaller than that of the main system controller 14. ~~As shown, switches 15~~ Switches switch a main system component to a backup system component and vice versa. In this way, the system components can be used to interactively adjust service availability to the communication devices 12.

Paragraph beginning at line 19 of page 10 has been amended as follows:

Referring to FIG. 4, a flow chart of a method for providing communication services to a plurality of communication devices in accordance with the present invention is shown. The method includes controlling at least one communication resource used to provide the communication services to the plurality of communication devices 12 via the resource controller 13 ~~12~~, block 410. The communication service availability to the plurality of the communication devices is interactively modified by interfacing with the resource controller 13 via the operator

interface 30, block 420. Optionally, the method of the invention can also include the step of monitoring component load and component reliability, block 430.

IN THE CLAIMS:

Claims 1 and 8 are amended as follows:

1. (Amended) A communication system that provides communication services to a plurality of communication devices over one or more radio frequency (RF) channels, comprising:

a resource controller that controls at least one communication resource used to provide the communication services to the plurality of communication devices;

an operator interface that interfaces with the resource controller to interactively and explicitly specify communication service availability to the plurality of the communication devices, wherein the specified availability is obtained by controlling the at least one communication resource.

8. (Amended) A method for providing communication services to a plurality of communication devices over one or more radio frequency (RF) channels, comprising:

controlling at least one communication resource used to provide the communication services to the plurality of communication devices; and

interfacing with a resource controller to interactively and explicitly modify communication service availability to the plurality of the communication devices.